

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WISCONSIN

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J.K.J.,

Plaintiff,

vs.

POLK COUNTY SHERIFF'S DEPARTMENT  
and DARRYL L. CHRISTENSEN,

Defendants,

Case No. 15-CV-428

and

WISCONSIN COUNTY MUTUAL  
INSURANCE CORPORATION,

Intervenor.

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M.J.J.,

Plaintiff,

vs.

POLK COUNTY SHERIFF'S DEPARTMENT,  
DARRYL L. CHRISTENSEN,

Defendants,

Case No. 15-CV-433

and

WISCONSIN COUNTY MUTUAL  
INSURANCE CORPORATION,

Intervenor.

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**MOTION TO CONSOLIDATE TRIALS**

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NOW COMES Defendant Polk County Sheriff's Department pursuant to Fed. R. Civ. P. 42 and moves the Court to consolidate for trial Case Nos. 15-CV-428 and 15-CV-433, and shows the Court that both cases present common questions of law and fact and as grounds therefore:

1. Both cases are civil rights claims under 42 USC § 1983 and both involve similar allegations of sexual misconduct with prisoners in the Polk County Jail on the part of ex-Officer Darryl L. Christensen.
2. The defendants are the same in both cases. The same lawyers represent the plaintiffs in both cases. The same lawyers represent the defendants in both cases.
3. Many witnesses will be called as witnesses in both trials, including:
  - (a) Defendant Darryl L. Christensen.
  - (b) Plaintiffs have designated the same expert witnesses in both cases (Jeffrey Eiser and Mack Raderstorf).
  - (c) Defendant Polk County Sheriff's Department has designated the same expert witnesses in both cases (Kenneth Robbins, M.D. and Eugene Atherton).
  - (d) When the expert witnesses were deposed, they were simultaneously deposed in both cases.
4. It is anticipated that the plaintiffs and the defendants will present testimony in both cases concerning the policies, procedures, training and practices of the Polk County Sheriff's Department.
5. It is anticipated that the plaintiffs and defendants in both cases will present identical testimony concerning the design and architectural features of the Polk County jail including testimony concerning the use of video cameras, sight lines within the jail and mechanisms for entering secured areas.
6. This defendant has moved for summary judgment in both cases and has filed identical Proposed Findings of Fact in both cases.

This defendant certifies that it will file no brief to support this motion other than a reply brief if the motion is opposed.

Dated this 14<sup>th</sup> day of November, 2016.

s/ Charles H. Bohl

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